IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION NO.134 OF 2005
IN
WRIT PETITION NO.975 OF 1997

Anil Chintaman Marathe .... Petitioner
Vs.
The State of Maharashtra & Ors. .... Respondents

Shri C.P. Deogirikar for the Petitioner.

None for the Respondent Nos.1 and 2.

Shri S.B. Prabhawalkar for the Respondent No.3.

CORAM: R.M.S. KHANDEPARKAR &
V.M. KANADE, JJ.

DATED: OCTOBER 04, 2005

P.C:

Heard. Undisputedly, the petition was dismissed on 11-4-2001. The notice of motion was filed in March, 2005. Perusal of the affidavit in support of the notice of motion does not disclose satisfactory explanation for condonation of delay in filing the application for restoration of the petition to the board nor it justifies interference in the order dated 11-4-2001. Besides, as regards the right of the petitioner to get vacant possession of the premises in question has been duly confirmed in the Judgment delivered today in Writ Petition No.1342 of 1996. Hence, the notice of motion is dismissed. No order as to costs.

(V.M. Kanade, J.) **(R.M.S. Khandeparkar, J.)**